

## REMARKS

Claims 1-9, 11-25 and 27-28 are pending. Claims 1, 3-9, 11, 14-19 and 21-25 are amended. No new matter has been added by the claim amendments.

### 35 U.S.C. § 103(a) Rejections

#### Claims 1-3, 6-7 and 9

According to the instant Office Action, Claims 1-3, 6-7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,623 (“Basso”) in view of U.S. Patent No. 6,593,936 (“Huang”). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 1-3, 6-7 and 9 are patentable over Basso in view of Huang for at least the following reasons.

According to the claims, a description of audio-visual content resides on a client – instead of transferring an entirely new description from a server to the client in order to perform an update at a particular node of the description, the server sends to the client: i) a command that indicates the type of update (e.g., an add, delete or change command), ii) the location of the particular node, and iii) any data related to the update – the client can then execute the command and perform the update.

Applicants respectfully submit that these limitations are not shown or suggested by Basso and Huang, alone or in combination.

Basso mentions that scene descriptions may be remotely located. Basso mentions that the scene descriptions can be updated.

However, Basso fails to teach, or even suggest, how scene descriptions are updated. Basso also fails to teach, or even suggest, which entity executes the command to perform the update. Applicants respectfully submit that Basso provides no details with regard to the manner in which scene descriptions are updated.

Applicants respectfully submit that Huang does not overcome these shortcomings of Basso, as noted on page 7 of the Office Action. Therefore, Applicants respectfully submit that Basso and Huang, alone or in combination, do not show or suggest details of how scene descriptions are updated and/or who performs such updates.

In particular, Applicants respectfully submit that Basso and Huang, alone or in combination, do not show or suggest “said server sending to said client a command indicating a type of update to make at a particular node of a data structure residing at said client ...; said server sending to said client the location of said particular node in said description; and said server retrieving and sending to said client any data related to said update, wherein said client executes said command and performs said update” as recited in independent Claim 1.

Each of the Claims 2-3, 6-7 and 9 includes all of the limitations of independent Claim 1 plus additional limitations. Applicants respectfully submit that Basso and Huang, alone or in combination, do not show or suggest the limitations of Claims 2-3, 6-7 and 9 in combination with the limitations of Claim 1.

Furthermore, Applicants respectfully submit that Claims 2-3, 6-7 and 9 are in condition for allowance as depending from an allowable claim.

In summary, Applicants respectfully assert that the basis for rejecting Claims 1-3, 6-7 and 9 under 35 U.S.C. § 103(a) is traversed.

Claims 11-25 and 27-28

According to the instant Office Action, Claims 11-25 and 27-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang in view of Basso. Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 11-25 and 27-28 are patentable over Huang in view of Basso.

As presented above, Applicants respectfully submit that Huang and Basso, alone or in combination, do not show or suggest the limitations of Claim 1. By similar rationale, Applicants respectfully assert that Huang and Basso, alone or in combination, do not show or suggest the limitations of independent Claims 11 and 23.

Accordingly, Applicants respectfully assert that the basis for rejecting Claims 11 and 23 under 35 U.S.C. § 103(a) is traversed and that Claims 11 and 23 are in condition for allowance.

Each of the Claims 12-22 includes all of the limitations of independent Claim 11 plus additional limitations. Each of the Claims 24-25 and 27-28 includes all of the limitations of independent Claim 23 plus additional limitations.

Applicants respectfully submit that Huang and Basso, alone or in combination, do not show or suggest the limitations of Claims 12-22, 24-25 and 27-28 in combination with the limitations of their respective base claims. Furthermore, Applicants respectfully submits that Claims 12-22, 24-25 and 27-28 are in condition for allowance as depending from an allowable claim.

In summary, Applicants respectfully assert that the basis for rejecting Claims 11-25 and 27-28 under 35 U.S.C. § 103(a) is traversed.

#### Claims 4-5 and 8

According to the instant Office Action, Claims 4-5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Basso in view of Huang, and further in view of ISO/IEC MPEG 00/N3575 ("ISO/IEC"). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 4-5 and 8 are patentable over Basso in view of Huang and further in view of ISO/IEC for at least the following reasons.

Claims 4-5 and 8 depend from independent Claim 1. As presented above, Applicants respectfully assert that Basso and Huang, alone or in combination, do not show or suggest the limitations of Claim 1. Applicants further assert that ISO/IEC does not overcome the shortcomings of Basso and Huang. The shortcomings of ISO/IEC with regard to the present claimed invention are presented in the Background Art section of the instant application.

Therefore, Applicants respectfully assert that Basso, Huang and ISO/IEC, alone or in combination, do not show or suggest the limitations of independent

Claim 1 and that Claim 1 is patentable over Basso, Huang and ISO/IEC. Accordingly, Applicants respectfully assert that the basis for rejecting Claims 4-5 and 8 under 35 U.S.C. § 103(a) is traversed and that Claims 4-5 and 8 are in condition for allowance as being dependent on an allowable base claim.

#### Conclusions

Based on the arguments presented above, Applicants respectfully assert that Claims 1-9, 11-25 and 27-28 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Please charge any fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,  
MURABITO HAO & BARNES L.L.P.

Dated: March 12, 2008

/William A. Zarbis/

William A. Zarbis  
Registration No. 46,120

Two North Market Street  
Third Floor  
San Jose, CA 95113